NOTES FOR AN ADDRESS
BY
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AND
MEMBER OF PARLIAMENT FOR EDMONTON WEST
AT
ALBERTA TEACHERS' ASSOCIATION
SOCIAL STUDIES CONFERENCE
***THRESHOLDS* `99**

October 16, 1999
Edmonton, Alberta

As delivered

Thank you very much Linda. It's a great pleasure to be here. I apologize for not being here on Thursday night as the program originally advertised. But as Linda's pointed out, because the House came back this week with the Speech from the Throne, speeches in response to the Speech from the Throne, and everything surrounding that, I was instructed to stay in Ottawa and be there yesterday morning for Question Period and debate in the House of Commons. So, it is a pleasure for me, however, to be here this morning, and thank you for making the adjustments to the schedule so I could speak to all of you this morning.

It is a great pleasure for me to be here because, as I hope you'll see from my more formal and prepared remarks in a few minutes, we as a government see that children and families have to be, must be, a key priority, not only of our government but provincial, municipal governments and of associations like yours, the ATA. Obviously, none of us working alone can achieve what we want for children and families in our society, and what we all have to do is work together and share our experiences and the challenges, the frustrations and, dare I say, sometimes I guess, the pain and the failures. But, by doing that, we will have the opportunity to put the focus on children and families in a way that deals with some of the root causes of in my case, the root causes of crime in your case obviously the root causes of, I suppose, social maladjustment, inability to learn, frustration, whatever. But, I know that you people are on the front lines on a daily basis in the way that many of us are not in terms of identifying the root causes of some of the concerns we have when we start talking about working with families and working with children to make sure we all have the kind of society we ultimately want where everyone has the opportunity to achieve and succeed. So, I thank you all very much for the work you do on a daily basis and the insight that you provide to us because, as I was mentioning earlier to your new president, I've had the opportunity to meet on a number of occasions with your previous president, Bonnie MacKay, and other members of the ATA to talk about issues of mutual concern, and I know that that relationship will continue. And organizations like yours give very valuable input in terms of helping us work with the provinces and others to develop the programs and strategies and put the funding in place to deal with some of the problems that we all know exist.

I think you people know better than anyone that, as a society, we do have a special responsibility towards children to protect them, to nurture them and to help them reach their full potential as adults. And, as I've already mentioned, children are a priority for the Government of Canada. Whether it's through the National Children's Agenda, or other initiatives, such as our Youth Justice Renewal Strategy or our funding of crime prevention programs in communities across Canada, our

goal is to work with Canadians and families everywhere to create a society that puts children first.

Just before I go any further, I want to just relate to you a little story that someone in my office found when we were doing some work on early intervention and kids and how important it is to get involved. And this is a little story from the *London Times* of 1828. And I just want to read you this very quickly because it sets the scene for all the early intervention work that we in my department and in the Government think is so important. So, on September 6th, 171 years ago, the *Times* reported the following:

Charles Smith, an urchin about six or seven years of age, was indicted for picking a gentleman's pocket of a silk handkerchief. This little fellow was taken with the property in his possession, although he attempted to say he found the property on the stones or the sidewalk that day. The gentleman who was robbed was so struck by the innocent appearance of the child, and his apparent helplessness, that he wished to decline prosecuting him, until informed by the magistrate at Queensquare that he was an old offender, though young in years. The gentleman accordingly consented to prosecute, and this apparently innocent little victim was consigned to the iron grip of the law. As the officer was conducting him through the streets to the prison, the young lad, we suppose for the purpose of keeping his hand in, picked the pocket of a gentleman while in the custody of the officer. This hopeful youth was sentenced to three years' imprisonment and hard labour, and to be twice well whipped.

I suppose that there is a certain grim humour in this story, depicting the tenacity of a cherub-faced urchin trying to survive in the streets of London. Trying to survive through crime. But, "the iron grip of the law" as it was described in the paperthat clutched children at that time was cruel by today's standards. But, you know, more importantly, it was also ineffective. Little Charles Smith continued to ply his trade even while under arrest.

To me, this story highlights the importance of intervening in the lives of young people early. An increasing body of knowledge says that we need to peel back the layers, discover what triggers a child to act out against society, and, wherever possible, respond to the root causes. And this holds true whether we are speaking about children as offenders or as victims. Whether as offenders or as victims, too many children suffer the effects of poverty, illiteracy, substance abuse, poor parenting and a family history of violence and suffering. Children in crisis often become children in trouble with the law.

How then can we intercede to help troubled children? How can we protect and respond to children who suffer abuse at the hands of others? These are the questions that we all struggle with whenever we are confronted with incidents of children in crisis.

For our part, the Government of Canada has placed these issues very high on the Justice agenda. As Minister of Justice, I am keenly aware that now is a time for innovative thinking to respond to these two large and complex challenges. Solutions need the involvement of all sectors of society particularly at the community levelto go beyond just the narrow response of the law.

Now, why the emphasis on community-based solutions? Because communities are better placed than the formal justice system to give an at-risk child a better start in life, or a troubled child or a young offender the kind of support that he or she needs to turn things around.

Now just before I talk a little bit about our crime prevention strategy, let me tell you the construct in which we are working as a government and in which provincial governments and attorneys general are working.

As many of you know you teach social studies, probably some of you teach the law, some of you teach your students about the criminal justice system therefore, you know that the criminal justice system is reactive in most instances. What it does is react after someone has hurt another person after someone has violated one of society's rules. The criminal justice system puts in action, as a

reaction to that harm, the police, the prosecutors, the courts, and, in many cases, jail or prison. And we need that system. You know, I'm not suggesting for one minute that we don't need that system. We do. We can't live in a world of naivete where we think that there won't be crime. There is; there will be. In spite of our best efforts, we need that system.

But it's reactive, whereas I think, what we've all discovered is that we've got to be a lot more proactive. And maybe we should think about trying to divert some of those billions of dollars that the federal and provincial governments spend reacting after somebody has been harmed up to the front end of the system and act proactively to identify the root causes of crime and prevent crime in the first place. Because when you prevent crime, you are preventing the creation of any more victims. There are no more victims if you can prevent crime no more pain, no more hurt, no more families ripped apart because they've been a victim of crime and lost a loved one, or whatever the case may be. Also, if you prevent a young person from falling into a life of crime, you don't lose the productive capacity of that individual, and he or she is not in your school being disruptive, or whatever the case may be.

So, the construct in which we're all trying to work today is acknowledging the importance of the formal criminal justice system. Also acknowledging that it is largely reactive, and we need to start thinking about a more proactive strategy and putting some more dollars in the front end to prevent people from being hurt and prevent people from becoming criminals. And that's the philosophy that underlies a lot of our early-intervention, community-based strategies.

And that is part of the philosophy that underlies our National Strategy on Community Safety and Crime Prevention. It's a $32 million a year initiative. And it uses a social development approach to work with communities across the country to address the underlying causes of crime, with particular emphasis on children, young people, domestic violence and Aboriginal communities. We believe that to prevent crime from occurring, we must provide children and their families with support. We must recognize and respond to the risk factors associated with, for example, fetal alcohol syndrome, child abuse and poor parenting, because we know that children grow up to be good citizens when they have the benefit of developing in a nurturing family and

community environment.

Let me give you a statistic. The then Attorney General of Manitoba, Dick Toews, told me that through recent research that they had done, over 50 per cent of the young people in detention in the province of Manitoba suffer from some degree of fetal alcohol syndrome. How many of the kids in your classrooms, how many of them may suffer from some degree of fetal alcohol syndrome, especially if you teach in an inner city school in our country? How many? You know, ten years ago we couldn't even identify most of these kids. Ten years ago, fetal alcohol syndrome was something we didn't talk about every day, in our schools and in the Justice Department of this nation and in the courts of this nation. But we do now. And you know what? Fetal alcohol syndrome is completely preventable. I don't know about you, but I get really angry when I think about the fact that we are sacrificing kids to a life of anger and maladjustment, to potential violence, to potential criminal conduct and a life of incarceration in and out of jails when, in fact, fetal alcohol syndrome is completely preventable.

And that's why I believe so strongly in crime prevention. Why aren't we (and we are, but we need to do more of it, and it's taken us a long time), getting to teenaged girls in our country and saying look, number one, you shouldn't be getting pregnant at that age, but if you do, for heaven's sake, don't drink when you're pregnant; don't do drugs when you're pregnant because the results are irreversible. Because we can't repair the damage that is done to a young person's mind and body when they are born with fetal alcohol syndrome. And just imagine the difference that would make to the criminal justice system if we could prevent any child in this country being born with the effects of fetal alcohol syndrome.

So it's a health issue. It's an education issue for you because these kids are in your classrooms, angry, at not being able to understand why they can't learn and keep up. And it's a justice issue.

And we can prevent those things from happening. And I must say I am very proud that the three provinces the prairie provinces are working together on new research projects involving fetal alcohol syndrome. We have some projects through our crime prevention program that I've just described to you that are also attempting to identify the root causes of fetal alcohol syndrome and reaching the people on the streets who need the assistance, the information, the means to know how to prevent fetal alcohol syndrome. But it's not a quick fix; you know that and I know that. But it's the kind of thing that we have to do more of now that we have the knowledge we have about these kinds of problems in our society.

Let me talk to you briefly about another example of a program that we see very much as crime prevention, and that is a program that we have launched in partnership with Doug McNally here in the City of Edmonton the former Chief of Police, with the United Way and other agencies, and that is "Success by Six." Many of you know this is an American program that has been brought into Canada. Doug McNally is a major proponent of this program. Doug McNally, in fact, sat on the National Crime Prevention Council and was instrumental in helping the Crime Prevention Council and us as a government accept the fact that the way you actually do prevent crime is to intervene early in the lives of kids and their families. And one example of that is the program "Success by Six." And this is a great example of how a community works together to offer at-risk children from the pre-natal stage to age six as well as their families, a range of supports. The goals of the program are to improve family coping skills, promote positive parenting skills, and enhance parent/child interaction. It is a grassroots program run by members of our community here in Edmonton who are in the best position to make a lasting difference in the lives of children and their families.

So, that is a proactive, upfront strategy in terms of working with communities all over this country and with organizations like the ATA things like "Success by Six," things like health, education and information to prevent newborns or kids being born with fetal alcohol syndrome. But there are lots of other initiatives through crime prevention. For example, the ATA is proposing an anti-bullying initiative that I think is before my department now for consideration. And I think you had a session in your program on anti-bullying. As we know, as we see tragically more and more from examples in our own schools and in the United States, if kids are bullied, if kids are ostracized, if they're isolated and if they have a sense of alienation and hopelessness, some very, very horrible things can happen. And, therefore, you want to prevent that in the first place. Nobody wants another Columbine and we don't want another Taber. And, therefore, perhaps, perhaps if we put these programs into our schools they would become part of the solution. It doesn't solve the whole problem because you've got to be working with those kids and their families and in the schools, but if we integrate these programs and if we identify the kids and families in trouble, we will have a better chance of avoiding, of preventing the kinds of things we saw in Taber and the kinds of things we saw in Columbine.

Now, another part of our youth justice strategy does involve the formal criminal justice system and that is our reform of the youth justice system. As you know, I think it's fair to say, many Canadians had lost confidence with the approach taken in the existing *Young Offenders Act*. And to restore their confidence, we in the Government undertook extensive consultations working with our provincial and territorial colleagues, and with people in all disciplines from across Canada to put forward new, balanced legislation.

The principal goal of our new youth criminal justice legislation is to protect the public by preventing crime, by ensuring meaningful consequences for offences, and by rehabilitating and reintegrating young persons into society. Offenders must help to repair the harm done to their victims and their communities. For the first time in federal criminal justice legislation, the *Youth Criminal Justice Act* recognizes the concerns of victims.

Moreover, the new youth justice system will make a distinction between violent and non-violent crime. The new Act distinguishes between violent and repeat young offenders from the majority of offenders who are non-violent and provides appropriate measures to deal with both.

Less serious offences will be addressed through effective community-based sentences that teach troubled youth important social values and allow them to repair the harm done. And you, as teachers, will have a role in that. Appropriate consequences may include sentences like: compensation to the victim, victim/offender reconciliation programs or community service. When a young offender makes restitution to the victim and to the community, the experience may have a more positive impact on their development than a few weeks or months spent in custody. This coordinated and community-based approach offers, I believe, a promising way to help non-violent youth. As teachers, you know that a troubled child has a better chance for success if parents, teachers, psychologists and others involved in the child's life work together toward a solution.

Let's just think for a few minutes about children under the age of 12 who sometimes do commit serious acts of criminal conduct. And there's been some discussion about this in the pages of the paper I know there will be more. Usually, child offending, if you're dealing with a child under 12, can be dealt with informally by parents and the community in some cases with the assistance of schools and teachers. But, when a more formal approach is needed to deal with children under 12, child welfare or mental health systems can help, and should help, by providing therapeutic services that are appropriate to a particular child's age and family.

I noticed yesterday, I believe here at this conference, you heard from someone who has reviewed the mental health system in our province and has pointed out some of the inadequacies. And indeed, I'm pleased to see that the province appears to be moving on the identification of the necessary mental health services so that we can again get to a lot of these kids early and provide them and their families with the help they need. And it's probably better in most cases if you're dealing with a child under the age of 12 who's hurt another person to, where necessary, have that child dealt with through the mental health system and receive supervision and treatment and therapy, if that's what's required, than put that child in custody somewhere where it's not clear what kind of programming might exist or what kind of help might be available to that child.

As a society, we need to determine the best ways to help these children, including the appropriate police policies and treatment programs. We must, however, maintain a thoughtful and balanced response, always keeping in mind the safety of our communities as well as the best course to give these troubled youths support and the opportunity to change.

Now just very briefly, what about children who are victims? You see a lot of kids who are victims in your classrooms whom you may not identify on a daily basis as victims, but there are a lot of child victims in your classrooms. What do we do when social supports break down and social trusts are violated? These children need our care and support, but they do also need a justice system that works for them. They need our commitment to continue to work for improvement and innovation in this area. And, as I've mentioned earlier, the voice of victims, including child victims, has been given greater resonance as a result of recent legislative changes at the federal level. In June, we passed legislation ensuring that victims of crime have a voice in the criminal justice system and that their interests are fully considered and addressed.

And there are ways in which the *Criminal Code* can respond more effectively to the needs of child victims. The role of the *Criminal Code* is to support provincial and territorial efforts to protect children by targeting extreme forms of harm. We have been looking at ways, whether through modifications to the *Criminal Code* or through more collaborative responses, to protect our children as much as possible from victimization and exploitation. But, we also have to consider how we respond to some of the more subtle forms of child abuse and exploitation. The Department of Justice has already taken steps to ensure that we can work together on practical issues to protect children from harm.

We will be releasing a consultation paper on the child as victim and the criminal justice system in the next couple of months. The paper will examine some of the most pressing issues and set out options for change. Areas being considered include the provisions relating to children's testimony and the definition of specific offences against children, including physical and emotional abuse, neglect and homicide. Most important, however, the paper will launch a consultation process to

seek the opinions of government officials, interested organizations, individuals, and professionals, like you, who deal with children on a daily basis.

I think it's fair to say that we, in governments at all levels, have got the message that the best way to create a safe and secure society, and one in which everybody has an opportunity to succeed and achieve, is to put our resources into children and families. And many of you in this room have probably been preaching that message for a long time because you before many of the rest of us see the results of what happens when we don't do that. I think we all agree now.

I guess one of the things that sometimes people ask me is, well crime prevention is a great idea, you know, preventing crime before it happens is a pretty basic and common sense idea. How come it's taken 30 years for you and the provinces and the police and others to understand that we should be putting our resources, or more of our resources, in that area? And I think that's a fair criticism. I mean, we probably haven't listened enough to people like you and others who see children and their families on a daily basis, in terms of what is needed and what is needed in terms of the integration of all the services we provide whether it's at the municipal, the provincial or the federal level how we all work together early enough to identify kids and families in trouble to make a difference, and to make a difference before someone else is hurt.

So, I think it is fair to say that governments have got the message. I think the policing community got the message a long time ago and that's why they, all over this country and especially in this city, are working so hard in the area of community policing and are working in many of your schools.

I was talking to someone last night, a businessman in the City of Edmonton on the plane coming back from Ottawa. He was amazed at how his kids viewed the police. Because he was a child of the `60s like me and many of you. We didn't view the policeman necessarily as our friend back then. But he said that there was a policeman in his kids' school there was community outreach office. He said that they were there like the school nurse, like the school guidance counselor. And he went on to say that his kids had a very different impression of what the police did and how they worked in communities. And he was saying this is a positive thing, and I think it is a positive thing.

But we all have a piece of the puzzle in terms of how we work together to intervene early enough in kids' lives and their families' lives to make a difference. So, I guess what I would say is that we in the federal government are very interested in working with the provinces, the municipalities and organizations like yours whether it's in terms of crime prevention initiatives and strategies, whether it's in terms of the new youth justice legislation where your organization and others as well as the national organization representing school boards have been very helpful and very involved trying to help us understand the difficult issues of youth offending and the best strategies to deal with youth offending.

At the end of the day, though, one of the things we all have acknowledge is that there are no quick fixes. We live in a society where everything is instant. I mean, planned obsolescence is a part of life, right? Everything changes quickly. Everything changes; buy a new laptop every couple of years or maybe even more quickly, I don't know, I'm not a computer person. I didn't go to school when we had computers. So, you know, we all want, we see a problem and it's perfectly natural as human beings, as teachers, as ministers of justice, to want a quick fix, to think that, gosh, if I just pass the right section in the *Criminal Code,* it will solve that problem and we won't have people hurting other people. We won't have kids being abused, or kids being born with fetal alcohol syndrome, or kids hurting other kids, or kids being bullied. Well, I can pass all the laws you want, but I think we are all here in this room sophisticated enough and experienced enough to know that that won't solve the problem. It will help as part of an integrated strategy to have the right laws. But what we really have to get our minds around is, if we want a safe and secure society where every child has the opportunity to achieve, there are no quick fixes. It is about identifying kids early enough in life to get to them, to get to their families (and I suppose, more profoundly, if we were able to achieve this to make sure that no child is born into poverty, no child is born into an abusive family structure). It would be to ensure that every child did, in fact, have

loving and nurturing parents, that every child had a warm roof over their heads, that every child had enough to eat. But we don't live in Utopia, and we know that there will be people who never get there. But what we do have to do is identify as many of those people who are falling through the cracks as possible. We have to identify the kids in the families, in the communities where they live, and try and give them the opportunity that I would hope as Canadians we would expect them to have, which is that opportunity to have a caring family and have good safe schools.

We're trying to fill in our piece of the puzzle by listening to people like you and others. The provinces are working hard on this with us and with you and others. And you know, I think we have the opportunity now right now and maybe it is fortuitous that we're turning a page in terms of the century. Maybe we need to turn the page in terms of, as a country, as a society, as family members, turn a page in terms of how we go about working and living in our communities to make sure that everybody is safe, everybody is secure and everybody does have the opportunity to learn and achieve.

So I thank you all very much. You people are on the front lines every day. You are an enormous help to me in more ways than you know through your organizations and individually. I thank you all very much. Keep up the great work because, in fact, you are absolutely instrumental in making sure that we have a society that we all value as Canadians, where everybody does have a chance to achieve. Thank you all very much. Have a great day.

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Date Modified: **2008-04-14**